THE ALL-INDIA INSTITUTE OF MEDICAL SCIENCES AND THE POST-GRADUATE INSTITUTE OF MEDICAL EDUCATION AND RESEARCH, CHANDIGARH, (AMENDMENT) BILL, 1987

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (KUMARI SAROJ KHAPARDE): Sir, I beg to move:

"That the Bill further to amend the All-India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, be taken into consideration."

Sir, it is a simple piece of legislation. It gives authority to the All-India Institute of Medical Sciences, New Delhi and the Post-Graduate Institute of Medical Education and Research, Chandigarh enabling the Institutes to borrow money with prior approval of the Central Government on the security of property of the Institutes for constructing quarters for their employees. Sir, both the Institutes could not provide accommodation to their staff as they are not having sufficient money for the purpose. It is not possible for the Government to release sufficient funds for the construction of quarters for their employes on account of financial constraints. Sir, there are 4,367 employees in the All-India Institute of Medical Sciences who are entitled for allotment of quarters but only 1284 employees could be provided quarters. Likewise in the Post-Graduate Institute of Medical Education and Research, Chandigarh, there are 3,036 employees and only 898 could be allotted quarters. Sir, both these Institutes are created by this august Parliament through legislation and these are national institutes of international prestige. It has been the endeavour of these Institutes to keep their employees contended so that they can deliver the goods to their best. The provision of accommodation to the employees is one of the needs of human beings and Government thought that these Institutes may raise their own funds to meet the housing demands of their employees. With this borrowed money these Institutes, I hope, will construct the required number of quarters and allot them to their employees in accordance with such regulations as may be made in this behalf.

Sir, I commend to this House for consideration and passage of the legislation.

The question was proposed.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM (Tamil Nadu): Mr. Vice-Chairman, Sir, I welcome this small piece of legislation for giving accommodation to the staff working in the two institutions of the All India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education & Research, Chandigarh. Though it is a small piece of legislation, no doubt it tries to fill one of the basic needs of staff in these autonomous bodies. At present the staff employed in these two institutions are not able to get accommodation nor is there any reasonable hope in the near future. Now, this Bill authorises these two autonomous bodies to borrow money on the security of the property of respective Institutes from financial institutions. More than that, this Bill authorises these institutions to construct quarters by their own agency and allot them to their staff members. To this extent I appreciate the intention of the Bill for the benefit of staff.

Sir, in this context I would like to mention one important matter with the permission of the Chair about the functioning of the Medical Council of India.

Mr. Vice-Chairman, in pursuance of the Memorandum of Understanding reached between the Medical Council of India and the Soviet Ministry of Specialised High- Education, the Medical Council of India will nominate 50 Indian students for the under-graduate medical education and 50 students for post-graduate medical education in medical institutions in the U.S.S.R. For this purpose...

KUMARI SAROJ KHAPARDE: How is this relevant to the provisions of the Bill under discussion?

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: Under your Ministry a big scandal has gone ...

KUMARI SAROJ KHAPARDE: We are discussing something else and you are raising something else.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: It is relevant. You can hear me, there is nothing wrong.

Sir, in regard to the selection of students there was a due notification and the bulletin published by the Medical Council of India has clearly stated that *only 250 candidates on merit shall be* called for a written test and interview at New Delhi on a date to be notified, and that the candidates should be prepared to come and stay in Delhi for at least three days at their own expense.

As per this rule, students were called to sit for the examination on 24th July at the Army Public School, Ridge Road, Dhaula Kuan. Students were asked to sit for this examination on July 24 at 3 p.m. But, Mr. Vice-Chairman, the examination was conducted only at 5 p.m. with all malpractices. Delhi students were allowed to sit in a particular room and professors were allowed to cooperate and give necessary help and give corect answers and, in fact, mass copying was allowed. I am told, after knowing this, the medical Council cancelled the examination. As per the proceedings, the students were asked to sit for the examination and wait for the results up to 27th July. The students who had come for the written test went to Medical Council office and there they saw that the examination had been cancelled and arrangement for another examination immediately was being made. So, the students, without any earlier examination, were asked to sit for the test on 27th and the students sat for the examination. My point is, it is a question of national interest. It is a question which relates to the relationship between the USSR and India. The USSR has come forward magnanimously to absorb 50 medical students. This Ministry has to be honest enough, fair enough in selecting the students. My complaint is that in selecting these 250 students, there is a lot of corruption. The students who have obtained only 60 or 61 or 63 per cent marks have been allowed to sit for the examination. Mere cancellation of the examination is not going to be of much help in selecting meritorious candidates. I would appeal to the hon. Minister that you kindly issue another notification and give due publicity and invite all meritorious students to sit for the examination so that you select only the meritorious students. You know, Sir, in Tamil Nadu this year, the cut-off percentage of marks is 93. But here you have allowed students who have obtained even 60. Is it the way of selecting meritorious students to be *sent to another country? It is a shame* to this country. That is why I appeal to the hon. Minister to make necessary arrangements to select 250 meritorious students who should sit for the examination.

With these words, I conclude.

PROF. B. RAMACHANDRA RAO (Andhra Pradesh): I rise to support this Bill. The Bill is innocuous and simple as the hon. Minister has pointed out. It enables both the Institutes to borrow money, with of course a very important clause, with the prior approval of the Central Government which is very important. Anyway, the Cabinet Minister is the Chairman of the Governing Body of both these Institutes and there is no possibility of any misuse of this privilege at all. Mostly, both the institutes are controlled indirectly by the Department.

In my long association with these two institutions in the last ten years, I find that this is he only lacuna, as the Minister has pointed out, that hardly 30 per cent of the teaching staff are provided accommodation. One problem which I would like to highlight is, the All-India Institute and PGI Chandigarh are institutes of national importance and there is no private practice. These are institutions meant for carrying out research at the highest level, and private practice by them is not allowed, so as to maintain the high level and standards. As such, you will not be able to attract talent unless you provide at least, in a city like Delhi or Chandigarh accommodation to them, and this is

the greatest urgency today. I would also congratulate the Government for making available on an urgent basis about 100 quarters in the Asiad Village to the All-India Institute of Medical Sciences which, hopefully, will ease the situation.

But I would like to point out one another important matter. Apart from the teaching staff who have to be provided accommodation to attract the best talent to these institutions, there is also the non-teaching staff. Almost one-third of the non-teaching staff are emergency staff, dealing with laboratories, with emergency services and so on. I suggest that they should also be provided enough quarters so that the emergency services are maintained. If they are living far away, you will not be able to call them to attend to their duties, like lab services, kitchens and so on.

I would like to point out that this Bill would not have been necessary if the Government had provided adequate funds in the Plan. To give an example, I think, out of Rs. 7.7 crores asked for by the All-India Institute of Medical Sciences, the provision made is hardly Rs. 30 lakhs. Although the Ministry has been kind enough to give money for the cat-scan or the liptotherapy units, when it comes to staff quarters, they have not been able to provide enough funds. Perhaps, as a general policy, they have not been doing it. This is a means of getting funds for removing this lacuna in these two institutes. I am sure, after this Bill is passed, necessary steps would be taken to borrow from HUDCO or the newly-created National Housing Bank and it would be possible to satisfy most of the staff. In this connection, I would like to say that though the percentage is not important, there is a calculation called the percentage satisfaction which the Ministry ought to calculate. There is a different formula to calculate what is called 'percentage satisfaction' based on which the needs of a particular institution for additional staff quarters are to be estimated. I commend the Bill and I strongly suggest that this should be brought into force immediately. Thank you.

SHRI PAWAN KUMAR BANSAL (Punjab): Mr. Vice-Chairman, Sir, housing is one of the basic needs of man. Its shortage in the country is appalling. Conscious of this, the Government, in the past, have taken various determined steps to meet the problem. The new draft housing policy also underscores the importance of Governmental and non-Governmental organisations taking up this activity in a big way.

The present Bill which seeks to amend the All India Institute of Medical Sciences Act, 1956, and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act 1966, empowers these two institutes to borrow money with the prior approval of the Central Government on the security of the property of the institute concerned. This is indeed welcome, as this is a step aimed at constructing more residential quarters for the staff of these two institutes and thereby meet an important obligation towards their employees and also help reduce the general housing shortage to some extent.

The Bill which is limited in scope and very salutary in purpose deserves the unanimous approval of this House and I congratulate the hon. Minister of Health for taking up the initiative to cater to the needs of those who toil to lend to these institutions a veritable national importance. I am confident that under the new provision in the Act, action would be taken expeditiously to start new construction and that every effort would be made to provide accommodation to the staff within or nearby the complex of these two institutions. Construction, I would say, should be carried out expeditiously and, to avoid pilferag and leakage of funds through the department concerned and not throug contractors.

[Shri Pawan Kumar Bansal]

Sir, the problem of housing in these two institutions is very acute. As the hon. Minister has said in the opening remarks, only 898 employees of the total employees of 3036 have been provided quarters by the PGI, Chandigarh. I would like to take this opportunity to say that till the time the construcion of more houses is underaaken after the new amendment is incorporated in the Act, the Health Ministry should take it up with the Chandigarh adminisration to procure a sufficiently good number of quarters from the general pcol for immediate allotment to the employees there.

Sir, since the subject concerning these two institutes is presently before the Parliament, I would also take this opportunity to briefly refer to some other aspects of the working of the PGI Chandigarh. The Act No 517 of 1966 specially declares the PGI to be an institute of national importance and I must say in all fairness to all those working there that it has definitely emerged as the most premier institute of Northern India and people in distress flock to it from many States. This, however, has turned the PGI more into a general hospital than a referal medical institute. The heavy rush of patients heavily taxes the institute and there is deterioration in standards the ctsualty being the medical care itself. This is so notwithstanding the fact that doctors and technicians, eminent in their respective field of specialisation team up to provide necessary care to the forlorn patients and give hope to the hopeless.

Sir, when Pandit Jawaharlal Nehru evinced interest in the setting up of the PGI at Chandigarh, he wanted different regions of the country to have their own medical institutes of excellence. The PGI has endeavoured to come up to his expectations, but unfortunately, it is not yet the last word in any particular speciality. Some super specialities have been created but have failed to make their mark because intra-departmental politics have crept in. I have known of business rivalries and also professional jealousies in certain professions, but have always believed a doctor to be a person who has total commitment to the welfare of the patient under his care. I have always placed a doctor on a higher pedestal. I believe that for a doctor the object of providing best medical ctre to his patient is his anthem to life. It is his literature his poetry, his philosophy. But to our dismay we sometimes find that the worldly cosiderations cause deviations here and there. Maybe, the faultlies else-where also. That cause for a dispassionate look at the prevailing environment and creation of conditions that promise the doctors their due.

Sir, we must also establish a hospital management system that is not suffocating to a devoted doctor, but rather encourages him to give his very best to the cause he serves. The Post-Graduate Institute of Medical Education and Research and the Act of 1966 establishing this Institute do call for a fresh look for incorporation of provisions and creation of conditions which tre conducive to serious research. Today, when the new education policy recognises the need to have autonomous colleges and non-affiliating universities, I feel that the PGI Chandigarh eminently qualifies to be accorded the status of a deemed university that could lay and prescribe courses of study and coordinate the working of all the medical colleges of the region.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Bansal, you can continue after lunch. The House stands adjourned till 2.30 P.M.

The House then adjourned for lunch at thirty minutes past one of the clock.

The House reassembled after lunch at thirty-four minutes past two of the clock, **The Vice-Chairman (Shri H. Hanumanthappa)** in the Chair.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): We will continue with the discussion on the All-India Institute of Medical Sciences and the Post-Graduate Institute of Medical Education and Research, Chandigarh (Amendment) Bill, 1987. Mr. Bansal.

SHRI PAWAN KUMAR BANSAL: Sir, when I say that the PGI, Chandigarh eminently and justly qualifies to be accorded the status of a deemed university and that it could also very well coordinate the work of all the medical colleges of the region, I also want to add that institutions of similar importance and proficiency should be set up in various other regions of the country as well.

Coming to the question of the imperative of removing bottlenecks and streamlinings the administration, I feel that in the case of the PGI at present we have unnecessarily two bodies, namely, the Institute and the Governing Body. The latter is the Executive Committee of the Institute and exercise the powers usually vesting in an executive committee. On the other hand, I have from personal experience as a member of the Institute Body, found that this body, termed as the Institute itself in the Act, is an inane body. As per the definition under the Act, the body is synonymous with the Institution known as the Post-Graduate Institute of Medical Education and Research, Chandigarh. That is quite flattering, but in practice, it is something quite superfluous and serves no useful purpose. On the contrary, the real, the living institute comprising the various categories of staff, has to suffer this institute. The statutory requirements impel the President to summon its meetings, but the agenda has to be created for it. And the meeting formally concludes no later than it actually begins.

Sir, such meetings, though few and far between, do incur some expenditure which could otherwise be utilised more profitably. Having worked as a member of the Institute Body, I am of the considered opinion that it will be just and appropriate to wind it up. There is no need to have these two bodies. And the present duplicity and the delay in the working of the Institution could very well be obviated. The Governing Body, with some consequent changes in composition and powers, could help the institution run better. I would use this opportunity to urge the hon. Minister to consider this matter particularly because various other important institutions are being administered by one managing body, by whatever name it be called.

To conclude, Sir, I would say that the PGI has the potential of competing with the best institutions in the world. It only needs greater encouragement and more budget allocations.

There is also an urgent need to set up more hospitals in Chandigarh and to expedite the construction of the proposed 500-bed hospital in Sector 32 there.

With these words, I commend and support the Bill.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Minister.

KUMARI SAROJ KHAPARDE: Thank you very much, Sir.

Sir, I am really very greatful to my friends and colleagues for the enlightened views which they have expressed on the Bill before the House. Both the AIIMS and the PGI, Chandigarh, are institutes of national prestige, and their work is recognised not only within the country but also internationally. It is for this reason that we are trying to ensure that this major problem about the shortage of housing is resolved as quickly as possible within the constraints of resources.

I would now like to refer to some of the points which have been mentioned by the hon. Members.

While supporting the Bill, Shri Aladi Aruna has mentioned certain things and I would like to say something about that.

[Kumari Saroj Khaparde]

He mentioned just now about the USSR Fellowship examination. I would like to inform him that this matter does not come within the purview of the present legislation. This USSR Fellowship examination was conducted by the Indian Medical Council which is a statutory body. However, I assure him that I will definitely look into this matter.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I specifically stated what had happened in the examination—malpractices and other things. My allegation is that corrupt practices were adopted in selecting 250 candidates.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): Mr. Aruna, the Minister has said it is conducted by the autonomous body. However, she will look into it.

SHRI ALADI ARUNA *alias* V. ARUNACHALAM: I thank the hon. Minister for the good effort on her part. Because of her effort the examination was suspended. Then the students were allowed re-examination. But my allegation is that even in selecting the candidates for allowing to sit in the examination corrupt practices have been adopted. How many applications were received to select 150 candidates at the national level is the more important point. It is the meritorious candidates that you have to select.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): You have already made your point.

KUMARI SAROJ KHAPARDE: The point mentioned by the hon. Member will definitely be looked into and whatever is possible and needful we will do.

While supporting the Bill Prof. Ramachandra Rao, who is closely associated with the AIIMS, mentioned about the Housing problem of the non-teaching staff. I would like to mention that the AIIMS gives adequate attention to housing for the non-teaching staff also, though the teaching staff gets priority. Out of 1,284 quarters with the Institute, 1,068 are already with the non-teaching staff. In calculating the requirement of additional housing, full account is being taken of the requirement of the non-teaching staff as has been done in the case of the teaching staff.

While supporting the Bill, Shri Pawan Kumar Bansal made a reference to PGI, Chandigarh. It is correct that there is a very heavy pressure on the Nehru Hospital attached to the PGI, Chandigarh. This, in itself, is an indication of the high reputation of the PGI and hospital. It is not possible to make the Institute purely referral unless additional facilities are created in the adjoining States to provide treatment of the level at which it is available at the PGI. The PGI cannot close its doors to the serious patients who come for the treatment. This is a problem faced by all major hospitals in the country. Sir, I appreciate the point made by the hon. Member, Shri Bansal regarding a proper hospital management system. Both AIIMS and PGI make every effort to ensure the best possible results. I would like to inform the House that my senior colleague, Shri P. V. Narasimha Raoji is the President of the AIIMS and PGI and under his able guidance both the Institutes have been adopting modern methods of management. One part of it is computerisation wherever feasible.

With these words I would like to thank all the Members who have really participated in the discussion of this Bill wholeheartedly.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The Question is:

"That the Bill further to amend the All-India Institute of Medical Sciences Act, 1956 and the Post-Graduate Institute of Medical Education and Research, Chandigarh, Act, 1966, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): We shall now take up the clause-by clause consideration of the Bill.

Clause 2 and 3 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

KUMARI SAROJ KHAPARDE: Sir, I beg to move:

"That the Bill be passed."

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The question is:

"That the Bill be passed."

The motion was adopted.

THE PARSI MARRIAGE AND DIVORCE (AMENDMENT) BILL, 1986

THE VICE-CHAIRMAN (SHRI H. HANUMANTHAPPA): The House will take up the Parsi Marriage and Divorce (Amendment) Bill, 1986. Shri H. R. Bhardwaj.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): Sir, I move:

"That the Bill further to amend the Parsi Marriage and Divorce Act, 1936, be taken into consideration."

The law relating to marriage and divorce among Parsis is contained in the Parsi Marriage and Divorce Act, 1936. Since the enactment of this Act, no substantial amendments were carried out in view of the declared policy of Government not to effect any changes in the personal laws of the minority communities unless the initiative therefore comes from the minority communities themselves. Such an initiative has now come from the Parsi community in the form of two sets of proposals one from the Chairman, Board of Trustees of the Parsi Panchayats, Bombay and the other from Mrs Meher, Master Moss representing the Federation of Parsi Anjuman of India. The Minorities Commission has also received both these proposals. The Minorities Commission had considered these two sets of proposals and had recommended that since the Bombay Parsi Panchayat is a representative body of the Parsi community and it has taken into consideration the opinions of similar other such bodies within the country, the amendments proposed by the Bombay Parsi Panchayat should be given preference and be adopted.

The proposals were also circulated among the State Governments and the Union Territory administrations for their comments. The majority of the State Governments and Union Territory administrations have recommended the acceptance of the proposed amendments. The Government has, therefore, decided to go ahead with the proposed amendments and as a result thereof has brought forward the present Bill. The main purpose of the Amendments incorporated in the Bill is to bring the provisions of the Parsi Marraige and Divorce Act 1936 in line with the proposals contained in the Hindu Marriage Act, 1955 and the Special Marriages Act, 1954.

The Child Marriage Restraint Act, 1929 was amended in 1978 to provide therein that the marriageable age in the case of male shall be 21 years and in the case of female be 18 years. It is proposed to bring the provision of the Parsi Marriage and Divorce Act 1936 in line with this amendment. Section 3 of the Act, is, therefore, proposed to be amended for that purpose. It has also been proposed to provide therein that the children out of marriages which are declared illegitimate under the Act shall be deemed to be legitimate children on the lines of provisions contained in other marriage Acts. This is to provide for the legitimacy of children born out of such marriages. Sections 19 and 20 of the principal Act make provisions for appointment of seven delegates to help the presiding judge of the Parsi Matrimonial Court in matrimonial matters. Now-a-days, it is difficult to get seven delegates for the purpose. It is therefore, proposed to reduce the number of delegates from seven to five. It has also been proposed that